

REMARKS

Claims 1-39 are all the claims pending in the present application, new claims 17-39 having been added as indicated herein. Claims 1-7 and 14-16 are rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Molno (US Patent Application Publication No. 2001/0030949). Claims 8-13 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Molno in view of Hautamaki (US Patent Application Publication No. 2001/0038614), and in further view of Ramjee (US Patent No. 6,842,462).

§102(e) Rejections (Molno) - Claims 1-7 and 14-16

With respect to independent claim 1, we propose to amend this claim, as indicated in the attached Appendix. Applicant submits that Molno does not teach or suggest the features set forth in amended claim 1 at least based on the following reasons.

The signalling considered in Molno is a "transmission of control signals in packet transfer mode, i.e. when occupied in a data transfer on an allocated transmission resource" - see, in particular, page 1, paragraph 0011 of Molno.

The control signals considered in Molno are sent on already available resources, which means that this does not require a specific allocation, in particular this does not require the sending of a specific resource request, contrary to what is described in independent claims 1 and 2 of the present application. See in particular page 3, paragraph 0037 of Molno, where there is indicated that the resources used by the control signals are shared with the PTCCH, i.e. sent on a separate part of an already available resource. Also, see page 3, paragraphs 0037 and 0038 of Molno for a description of the PTCCH (Packet Timing Advance Control Channel).

At least based on the reasons set forth above, Applicant submits that Molno does not anticipate amended claims 1 and 2.

Applicant submits that dependent claims 3-7 are patentable at least by virtue of their indirect or direct dependency from independent claim 1.

Applicant submits that claims 14-16 are patentable at based on reason similar to those set forth above with respect to claims 1 and 2.

§103(a) Rejections (Molno/Hautamaki/Ramjee) - Claims 8-13

Claims 8-13 are rejected based on the reasons set forth on pages 3-4 of the present Office Action.

Applicants submit that dependent claims 8-13 are patentable at least by virtue of their indirect or direct dependency from independent claim 1. Neither Hautamaki nor Ramjee makes up for the deficiencies of Molno.

Further, with respect to claims 12 and 13, even if, *arguendo*, Hautamaki discloses that a wireless device sends a packet mode resource request 307, nowhere does Hautamaki disclose or suggest that the type of packet mode resource request that corresponds to a transfer mode best suited to the requirements of a user data transfer is the EGPRS packet channel request message.

Finally, Applicant adds new claims 17-39 to provide a varying scope of coverage. Applicant submits that these new claims are patentable at least by virtue of their respective dependencies.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 10/634,766

ATTORNEY DOCKET NO. Q76546

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Diallo T. Crenshaw
Registration No. 52,778

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 24, 2006